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Attorneys for Plaintiff

Our File No.: 114323

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Charde Lockett,

Plaintiff,

vs.

I.C. System, Inc., and
Collection Bureau of the Hudson Valley, Inc.,

Defendants.

Docket No:

COMPLAINT

JURY TRIAL DEMANDED

Charde Lockett (hereinafter referred to as “*Plaintiff*”), by and through the undersigned counsel, complains, states and alleges against I.C. System, Inc. and Collection Bureau of the Hudson Valley, Inc. (hereinafter referred to collectively as “*Defendants*”), as follows:

INTRODUCTION

1. This action seeks to recover for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).

JURISDICTION AND VENUE

2. This Court has federal subject matter jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. § 1692k(d).

3. Venue is proper under 28 U.S.C. §1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this Judicial District.

4. At all relevant times, Defendants conducted business within the State of New York.

PARTIES

5. Plaintiff Charde Lockett is an individual who is a citizen of the State of New York in Suffolk County, New York.

6. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

7. On information and belief, Defendant I.C. System, Inc., is a Minnesota Corporation with a principal place of business in Ramsey County, Minnesota.

8. On information and belief, Defendant Collection Bureau of the Hudson Valley, Inc., is a New York Corporation with a principal place of business in Orange County, New York.

9. Defendants are regularly engaged, for profit, in the collection of debts allegedly owed by consumers.

10. Defendants are “debt collectors” as defined by 15 U.S.C. § 1692a(6).

ALLEGATIONS

11. Defendants allege Plaintiff owes a certain debt (“the Debt”).

12. The Debt was primarily for personal, family or household purposes and is therefore a “debt” as defined by 15 U.S.C. § 1692a(5).

13. Sometime after the incurrence of the Debt, Plaintiff fell behind on payments owed.

14. Thereafter, at an exact time known only to Defendants, the debts were assigned or otherwise transferred to Defendants for collection.

15. In its efforts to collect the debt assigned to it, Defendant I.C. System, Inc. contacted Plaintiff by letter (“the ISC Letter”).

16. In its efforts to collect the debt assigned to it, Defendant Collection Bureau of the Hudson Valley, Inc. contacted Plaintiff by letter (“the CBHV Letter”).

17. The Letters are “communications” as defined by 15 U.S.C. § 1692a(2).

18. Both Letters seek to collect the same debt allegedly owed by Plaintiff to Con Edison.

19. 15 U.S.C. § 1692e(2)(A) prohibits a debt collector from, *inter alia*, falsely representing the amount of any debt.

20. The ICS Letter sets forth a “Balance Due” of \$709.22
21. The CBHV Letter sets forth an “Amount Due” of \$730.66.
22. Upon information and belief, Plaintiff owed Con Edison only \$690.18.
23. As such, Defendants have violated 15 U.S.C. § 1692e(2)(A) by falsely representing the amount of the debt.

JURY DEMAND

24. Plaintiff hereby demands a trial of this action by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment as follows:

- a. Damages against Defendant I.C. System, Inc. in favor of Plaintiff pursuant to 15 U.S.C. § 1692k; and
- b. Damages against Defendant Collection Bureau of the Hudson Valley, Inc. in favor of Plaintiff pursuant to 15 U.S.C. § 1692k; and
- c. Plaintiff’s attorneys’ fees pursuant to 15 U.S.C. § 1692k; and
- d. Plaintiff’s costs; all together with
- e. Such other relief that the Court determines is just and proper.

DATED: December 30, 2017

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